

**Minutes of the Carlisle Board of Health
November 13, 2007**

Present: Board Members Jeffrey Brem (Chairman), Michael Holland, Bill Risso, Chris Deignan; Leslie Cahill; also present: Linda Fantasia (Agent), Rob Frado (TCG), Priscilla Stevens Carlisle Mosquito

The meeting was called to order at 7:35 p.m. at the town hall.

MINUTES – It was moved (Risso) and seconded (Cahill) to approve the minutes of 10/9/07 and 10/23/07. Motion passed 4:0. Holland had not arrived.

CORRESPONDENCE – Brem noted that Thorstensen Laboratories failed to file the required water tests with the state for the Public Water Supplies at the Library and School. Reports have since been filed. A system inspection for the Bio-Clere at 125 Berry Corner Lane was submitted. The system is functioning properly.

UPCOMING DATES – meeting dates are 12/11/07, and Thursday 1/3/08. The EDS training is scheduled for 11/28/07 at 7 pm at the school. Brem, Cahill and Risso will attend. The training will be presented by Archana Joshi, regional coordinator, Judith Chevarly MDPH, and Sarah Robart, MRC Coordinator. Brem, Risso and Deignan will attend the MAHB Certification on 12/1/07.

RESIGNATION – Mary DeAlderete, the Board's Administrative Assistant submitted her resignation effective 11/30/07. She is taking a position for the Town of Acton. The Board noted that it had been trying to increase the hours for the position for over a year. Currently it is a 15 hr/wk non-benefit position. This is one of the reasons deAlderete resigned. Fantasia said it may be difficult to hire someone for the limited hours given the workload. The Board agreed that the town may not be saving money by limiting the number of benefited positions if it results in a high turnover. This is something the Personnel Board should address. Fantasia asked if the Board would consider hiring an interim employee until the hiring process can be initiated. She suggested possibly job sharing with another department. The Board agreed to make hiring an interim assistant as a priority.

It was moved (Deignan) and seconded (Cahill) to authorize Bill Risso to hire a temporary administrative assistant prior to 11/30/07. Motion passed 4:0. Holland had not arrived.

BILLS – It was moved (Risso) and seconded (Cahill) to approve the bills as presented. Motion passed 4-0 (Holland had not arrived).

PART TIME SOCIAL WORKER – Fantasia and Kathy Mull (COA Director) recommended hiring Peter Cullinane for the grant funded position. He has strong qualifications in working with elders at risk and extensive experience in behavioral health administration which will be helpful in assessing the program for future funding. The grant ends on June 30th. Brem said the position would be classified as a special town employee.

It was moved (Cahill) and seconded (Deignan) to offer the part-time social worker position to Peter Cullinane at the rate previously discussed. Motion passed 4:0. Holland had not arrived.

PH 26 WESTFORD STREET – replacement of a failed soil absorption system. Present for the hearing was David Schofield, engineer, and George Senkler, 14-18 Westford Street.

Schofield explained that the lot is only .4 acres. The design is limited due to two offsite wells and one onsite well. He was able to maintain 100' from the offsite wells but only 83.3' to the onsite well. The system is breaking out to the surface. The lot is also limited due to tight soils, groundwater at 2.0' and wetlands. The design is for a four bedroom system, no garbage grinder allowance and includes Presby-Enviro chambers. The leaching area has been reduced by 40% as allowed with Presby Enviro systems. The closest distance

between the leaching area and wetlands is 41'. Schofield made an informal presentation to the Conservation Commission. He feels the proposed design balances the competing elements. Schofield said the Commission is in favor of the upgrade.

Senkler asked about his well. It is 100' from the proposed location. He also asked how drainage from the front parking lot on his property would be handled. Currently the parking area drains to the rear of his lot near the proposed system location. Cahill asked if there would be an advantage to sliding the system away from the property line. Brem said that although this would bring it closer to the wetlands, it would increase the distance from the well to approximately 90'. He asked Schofield how Conservation might feel about this. Schofield said they are aware of the emergency of the site. The owners cannot do laundry because of the breakout. Schofield said it is a difficult choice whether to protect wetlands or drinking water. His choice is to protect the well.

Schofield agreed to revise the plans by moving the leaching area farther from the well, adding a swale at the property line. He asked if the Board would grant a conditional approval so that he did not have to wait until the next meeting. After a brief discussion, the Board agreed to close the public hearing since there was agreement that a revised plan would be submitted based on the items discussed at the meeting. The Board offered to hold a special meeting to vote on the revised plan following review and approval by the Board's consultant.

It was moved (Deignan) and seconded (Risso) to close the public hearing and that the applicant's engineer should submit a revised plan relocating the leaching area 90' from the onsite well, add a drainage swale along the easterly property line, address the notes in the technical review and record a garbage grinder deed restriction.

MOONTOUCH MASSAGE – Cecile Carr of 211 Cross Street would like to apply for a massage therapy license and a massage facility license to practice from her home. After reviewing her letter of application and credentials, the Board decided that she should be invited to meet with the Board. If the Board is inclined to grant the license, Fantasia will check her references. A floor plan of the treatment room is required. The house, which is new, has a five bedroom septic system. The office will need to be inspected. A separate fee will be required to pay for the inspection. Fantasia will contact Carr with this information.

FY09 BUDGET – the Board reviewed FY09 budget estimates. Although no guidelines have been issued, Fincom has asked departments to stay within this year's budget amount, including cost of living adjustments. The Board is very concerned about short changing certain line items, such as nursing, which have had overruns in the past. The Board had difficulty but kept to the guideline last year. Further reductions are not reasonable. Fantasia said the revolving account is also running low at this point, although a large subdivision is probably close to filing. The Board agreed to keep an eye on the revolving account.

WEE FOLK – The Board reviewed lead and copper test results which are beyond the action levels. According to the action report, the faucets have been posted. The Board was concerned that the operators may be using lead paint for the figurines. This may or may not have an affect on the well. Since this is a Public Water Supply, it is regulated by DEP and the Board does not need to take action.

CARLISLE SUPPLEMENTARY REGULATIONS – continued discussion on proposed revisions.

Brem said he attended the Conservation Coffee to explain why the Board wanted to revise the local regulations. He explained about the research that has gone into the revised Title 5 and how better designs might be submitted if the designer has more flexibility. He noted that the audience was very interested in learning how a septic system works and the use of alternative technology. Sylvia Willard, Conservation Administrator, said any work in the buffer zone requires a permit. This would include testing for a potential site as well as the actual design. The end result is more permits to be issued by the Commission. Brem said Boards will need to work together and admitted it could complicate the process. The same is true of the permitting process for an I/A system. Applicants may not choose the more rigorous permitting process unless there is a true benefit. Willard also noted that clearing vegetation close to the wetland heats up the soil.

This may be another unintended consequence which detrimentally impacts the wetland. Brem said he was asked whether reducing the setbacks to wetlands would encourage development in the buffer zone. He responded that this is a zoning issue. The Conservation Commission has not taken a position on the setbacks. The Board agreed that it would be helpful to have their comments.

Holland said the Board should consider which I/A system would be appropriate. DEP would favor a nitrogen reducing system. Technology such as the Presby may reduce the size of the leaching area but does not provide additional reduction of nitrogen. Risso does not see the advantage to Carlisle residents in making an otherwise unbuildable lot buildable. The benefit would be to a developer. If this is the case, Holland thinks the Board should apply full compliance to all systems, not just new construction. It is arbitrary to allow systems to be located in the buffer zone for repairs and then rolled over into new construction. He cited the example of Bedford Road. Risso agreed that Bedford Road should not have benefited from local waivers, although that now appears to be the case. Brem said any regulation needs to be science based which would be Title 5. A local 100' offset to wetlands for new construction can eliminate flexibility in the design. Full compliance does not necessarily guarantee the best system for the site. The Board should not limit design options as long as they protect the public health.

Risso is concerned that reducing the setback to wetlands may not be in keeping with other Boards' goals. Land use boards should work in concert and consider the larger picture. Holland feels this extends into zoning issues which is not the Board's purview. Risso said the DeFeo, Waite study is not opposed to having additional protection. The report simply states that 50' "should be" adequate. Risso is concerned that this is too limited for a town that is totally dependent on groundwater for drinking water. Holland again said that additional protection should then apply to all designs. Cahill said the best scientific location may not be the best aesthetic location. If a system is located less than 100' from wetlands the owner would first have to check with Conservation about testing, include an alternative technology that reduces nitrogen in the design, and provide an alternative analysis (proof plan) so that the Board could see the benefit. Risso said the problem with eliminating the additional protection and leaving it up to the Board to decide whether there are other environmental concerns is that the make-up of the Board changes at each election. Currently there are three civil engineers on the Board. This may not always be the case. Board members, who do not have engineering backgrounds, may be reluctant to require design changes.

Fantasia said the MHOA conference had seminars on local regulations and wastewater treatment. One talk dealt with how to write and defend a local regulation. The most important point is for the regulation to address an identified need of the residents. Another seminar dealt with emerging contaminants. These are unregulated contaminants such as prescription drugs and endocrine disrupters for which there are currently no standards for handling and disposal. The number of prescriptions issued has increased by 70% since 1994. Disposal either by elimination or into the waste stream is a growing concern particularly in senior housing. DEP has a work group that is looking into risk analysis and guidelines.

Holland said that ConsCom is considering a no grading within 50' from wetlands regulation. This would mean a system would have to be more than 50' to allow for grading.

Risso was concerned that the Board is now reconsidering the 25% additional GPD in lieu of the 50% garbage grinder allowance. Low flow plumbing fixtures, while cutting back on water usage, result in higher strength in the waste. It may be wiser to keep the larger system size for additional treatment area. This is particularly important if the reason most systems fail is due to hydraulic loading. There is no way of knowing at what point a number of failures in the same area may impact groundwater and eventually drinking water. The additional treatment area of the garbage grinder allowance would help to protect against this. There was some discussion on how the biomat forms in a system, and its purpose. Brem asked why new lots should not be given the same flexibility with the allowance as repairs. Risso listed his reasons for not changing the local regulations: a larger systems typically means a longer life for the system; systems fail due hydraulic loading and a larger leaching area might alleviate this; it is mainly developers who will benefit since they may be able to get an extra lot; low flow fixtures do not dilute the waste resulting higher concentrations that could overtax a smaller system. Risso views capacity as an even more critical criteria in the design. Holland

disagreed that intermittent peaks cause hydraulic failure. Brem noted that DEP did not reduce flow rates in order to balance the increased concentrations that result from low flow plumbing fixtures.

The Board was not able to reach a consensus on these issues. Brem suggested that Board members review the pros and cons very carefully for the next meeting in the hope that the Board can come to an agreement. If there is no consensus, he suggests tabling these two issues and taking care of the issues already decided. He asked the Board to be prepared to make a decision on 12/11/07.

The Board agreed to check with DEP for advice and to see if a representative might attend the next meeting. Fantasia will check. Holland agreed to review the wording for testing large systems. He is considering how to handle the setbacks. If a leaching area is 50' from wetlands, there will be impacts due to grading. He believes that Title 5 now has quality design standards. There is also an improved soil classification system that covers a wide range of application rates. For these reasons, he feels that Title 5 provides sufficient protection unlike the older 1978 Code which allowed undersized systems.

There was no further business. Meeting voted to adjourn at 9:45 pm.

Respectfully submitted,

Linda Fantasia
Recorder